



PTO/PCT Rec'd 23 JUL 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Mieko SAKAI et al.

Attn: BOX PCT

Serial No. 09/830,060

Docket No. 2001\_0489A

Filed April 23, 2001

HIGH-HARDNESS, SOFT COMPOSITE  
MATERIAL

[Corresponding to PCT/JP99/05843

Filed October 22, 1999]

**REPLY TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 USC 371**

Assistant Commissioner for Patents,  
Washington, DC 20231

Sir:

In response to the PTO Notification of Missing Requirements Under 35 USC 371 dated May 23, 2001, submitted herewith is a Declaration for the above application executed by the inventors.

Also enclosed are the PTO surcharge of \$130.00 required by 37 CFR 1.492(e), and a copy of the PTO notice.

It is respectfully submitted that the application is now complete, and early indication thereof is now requested.

Respectfully submitted,

Mieko SAKAI et al.

By



Michael R. Davis

Registration No. 25,134

Attorney for Applicants

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

MRD/ah  
Washington, D.C. 20006-1021  
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July 23, 2001



JUL 23 2001  
PATENT & TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box P-1  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.

09/830060

FIRST NAMED APPLICANT

SAKAI

M

ATTY. DOCKET NO.

2001-0489A

INTERNATIONAL APPLICATION NO.

PCT/JP99/05843

WENDEROTH, LIND & PONACK, L.L.P.  
2033 K STREET N.W.  
SUITE 800  
WASHINGTON, DC 20006 1021

U.S. FILING DATE

22 OCT 99

PRIORITY DATE

22 OCT 98

DATE MAILED

23 MAY 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:

- ☒ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application.
- ☒ Oath or Declaration of inventor(s).
- ☒ Copy of Article 19 amendments.
- ☒ Priority Document.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☒ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Indication of Small Entity Status.
- ☒ Translation of the international application into English.
- ☒ Translation of Article 19 amendments into English.
- ☐ Other:

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee.
- ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A processing surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- 6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
- 7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: PCT/DO/EO 917 Notice of Defective Translation  
PTO-875 PCT/DO/EO 920

SHELBY VIGIL, PARALEG

FORM PCT/DO/EO 905 (March 2001)

Telephone 703-305-3653

S. VIGIL



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PATENT OFFICE FEE TRANSMITTAL FORM

Assistant Commissioner for Patents,  
Washington, DC 20231

Sir:

Attached hereto is a check in the amount of \$130.00 to cover Patent Office fees relating to filing the following attached papers:

Late filing of executed Declaration . . . . . \$130.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

*The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.*

Respectfully submitted,

Micko SAKAI et al.

By Michael R. Davis

Michael R. Davis

Registration No. 25,134

Attorney for Applicants

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TO CHARGE ANY DEFICIENCY IN THE  
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[Check No. 45585]

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